

# **EXHIBIT W-25**

**Plaintiff's Damages Request, Current Updated Controlling Affidavit**

**April 10, 2024**

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN**

---

OWEN W. BARNABY,  
Plaintiff- Appellant

Vs.

MICHIGAN STATE GOVERNMENT, ET, AL  
Defendants- Appellees

)

)

) Hon. Robert J. Jonker

) Hon. Mag. Sally J. Berens

) Case No. 1:22 -CV- 1146

---

Owen W. Barnaby  
P.O. Box 1926  
Kennesaw, GA 30156  
(678) 382- 4183  
[Bossproperties96@gmail.com](mailto:Bossproperties96@gmail.com)

Attorney T. Hackworth  
Berrien County Government  
701 Main Street, St. Joseph, Michigan 49085  
T. (269) 983-7111, ex 8416 | [thackworth@berriencounty.org](mailto:thackworth@berriencounty.org)

Attorney, T. Seth Koches,  
Niles-Charter-Township/Board of Trustee  
470 W. Centre Ave., Ste. A, Portage, MI. 49024  
T. 269-382-4500 [Koches@michigantownshiplaw.com](mailto:Koches@michigantownshiplaw.com)

Jeffery R. Holmstrom (P29405)  
Holmstrom Law Office PLC  
830 Pleasant Street Suite 100  
St. Joseph, MI 49085  
T. (269)-983-0755 | [jeff@holmstromlawoffice.com](mailto:jeff@holmstromlawoffice.com)

Attorney Emily P Jenks  
6th Floor at Ford Field  
1901 St. Antoine St. Detroit, MI 48226  
T: 313-393-7582 | [EJenks@bodmanlaw.com](mailto:EJenks@bodmanlaw.com)

Berrien County Courthouse,  
811 Port St, St Joseph, MI 49085

Pendrick Kimberly Attorney General of Michigan  
525 W. Ottawa, 5<sup>th</sup> Floor  
P.O. Box 30736, Lansing, MI 48909  
T. 517-335- 7659 | [PendrickK@michigan.gov](mailto:PendrickK@michigan.gov)

## AFFIDAVIT

---

Affidavit of Owen W. Barnaby

State of Georgia )

County of Cobb )

1. I am a competent adult with knowledge of the contents of this Declaration and that the contents are accurate and true to the best of my knowledge information and belief, and if called upon to testify I will do so competently. Solemnly sworn under penalty of perjury.
2. That, I, Owen W. Barnaby am a resident of the State of Georgia, Cobb County
3. The Grand total sum certain Default Judgment damages claim which is good through April 30, 2024, is the tune of **\$85, 944,289.20:**
  - a. Monthly rental loss is \$8, 107.24; from January of, 2014 to April 30, 2024, a total of 124 Months equal at total of \$1,005,297.76, times three for theft,  
Total \$3,015,891.84.
  - b. Plaintiff's Expert Report Price to Rebuild Demolished Properties.  
Total \$2,677,726.00.
  - c. Defendants valued the Nile property at \$12,000.00, times three for theft,  
Total \$36,000.00
4. The rental loss plus Properties loss, damages, Total \$5,729,619.28
5. Plaintiff's Emotional Distress damages are two times his rental loss and his properties loss, damages which amount to the Total of \$11, 459,238.60.
6. Plaintiff's compensatory damages, which is inclusive of: Emotional Distress, Rental loss and his properties damages amount to **Total \$17,188,857.80**
7. Punitive Damage is one third of Plaintiff's compensatory damages, Total \$68,755,431.40
8. **The Grand Total Damages are:** Rental loss, Properties loss, Emotional Distress Punitive which amount to the tune of **\$85, 944,289.20.**

Further the affiant says not.

Dated: April 10, 2024,

  
Owen W. Barnaby, In Pro Se.



4/10/24